

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CIVIL MOTION HEARING

FurnitureDealer.net, Inc.,

Plaintiff,

v.

Amazon.com, Inc., and COA, Inc., dba
Coaster Company of America,

Defendants.

COURT MINUTES – CIVIL

BEFORE: Hildy Bowbeer

U.S. Magistrate Judge

Case No.: 18-cv-0232 (JRT/HB)
Date: August 3, 2020
Courthouse: St. Paul
Courtroom: n/a (videoconference)
Court Reporter: Tim Willette
Time in Court: 1:01–2:33 p.m.

APPEARANCES:

For FurnitureDealer.net, Inc.: Christopher K. Larus, John Harting

For Amazon.com, Inc.: Joseph C. Gratz, Adam R. Steinert, Vera Ranieri

For COA, Inc., dba Coaster Company of America: Mark D. Nielsen, Holley C.M. Horrell

PROCEEDINGS:

The Court held a hearing on Amazon.com, Inc.’s Motion to Compel Plaintiff re Rule 26(a)(1) and Rules 30(b)(1) and (6) [Doc. No. 256]; COA, Inc.’s Motion to Compel Plaintiff to Comply with Discovery Obligations [Doc. No. 262]; and FurnitureDealer.net, Inc.’s Motion to Compel Amazon.com, Inc. to Produce Additional 30(b)(6) Witnesses for Deposition and Financial Data [Doc. No. 269].

Ruling from the Bench for the reasons stated fully on the record, the Court ruled as follows:

1. Amazon.com, Inc.’s Motion to Compel Plaintiff re Rule 26(a)(1) and Rules 30(b)(1) and (6) [Doc. No. 256] was **GRANTED IN PART** and **DENIED IN PART**.
 - a. FDN must make Andrew Bernstein available for deposition by Amazon for an additional three hours on the record.
 - b. Amazon’s motion to compel FDN to supplement its Rule 26(a)(1) initial disclosures on damages was denied.
2. COA, Inc.’s Motion to Compel Plaintiff to Comply with Discovery Obligations [Doc. No. 262] was **GRANTED IN PART** and **DENIED IN PART**.
 - a. FDN must make Andrew Bernstein available for deposition by COA for an additional three hours on the record.¹

¹ It is understood that the continued Amazon and Coaster depositions of Mr. Bernstein will be conducted at a single sitting. It is further understood that the Court expects both sides to conduct

- b. Coaster's motion to compel FDN to supplement its Rule 26(a)(1) initial disclosures on damages was denied.
3. FurnitureDealer.net, Inc.'s Motion to Compel Amazon.com, Inc. to Produce Additional 30(b)(6) Witnesses for Deposition and Financial Data [Doc. No. 269] was **GRANTED** in that Amazon must produce supplemental financial data for ASINs identified by FDN in the lists FDN provided on July 2 and July 14, 2020. Prior to the hearing, the parties reached agreement on the remaining issues raised by the motion, thereby rendering those aspects moot.

No written order will be issued on the motions, and the Court's oral order shall serve as its ruling.

s/Adrienne Meyers _____
Judicial Law Clerk

themselves in good faith in using the allotted time. Nothing in the Court's Order precludes a request for relief by either side if questions or responses are shown to have needlessly extended the deposition without a legitimate purpose.